

**UNITED STATES DISTRICT COURT**  
for the  
District of Nebraska

United States of America  
v.  
ARMANDO GARCIA-DELACRUZ

Case No: 4:06cr3016-001

USM No: 20179-047

Date of Original Judgment: 05/30/2007

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

David R. Stickman

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 160 months is reduced to 128 as to Count I consecutive .

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 05/30/2007 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 12/09/2015

s/ John M. Gerrard

Judge's signature

Effective Date: 12/09/2015

(if different from order date)

John M. Gerrard, United States District Judge

Printed name and title

**This page contains information that should not be filed in court unless under seal.**  
**(Not for Public Disclosure)**

ARMANDO GARCIA-DELACRUZ

DEFENDANT: \_\_\_\_\_

CASE NUMBER: 4:06cr3016-001

DISTRICT: District of Nebraska

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: 34

Amended Total Offense Level: 32

Criminal History Category: I

Criminal History Category: I

Previous Guideline Range: 151 to 188 months

Amended Guideline Range: 121 to 151 months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.

**III. ADDITIONAL COMMENTS**

Filing nos. 265 and 266 are granted as provided herein as to Count I only, said term to run consecutive to Count II.